

Remarks

Reconsideration of the above-identified application is respectfully requested.

Claims 1, 2, 3, 4, 6, 7, 8, 9, 12-17 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. 5,846,642 (Kimura). Applicant respectfully traverses.

Support for amendments to claim 1 can be discerned from the Examples. Support for new claim 22 can be found at page 8, line 9 of the specification. Claims 23-36 merely restate limitations of prior claims.

Kimura is directed to a polyester film laminated to a metal sheet. This focus of Kimura is readily apparent from the description of the art. Furthermore, Kimura states "An object of the present invention is to solve the problems of the above-conventional techniques, by providing a polyester film for thermal lamination which is excellent in adhesiveness, formability, impact resistance and taste property". The remainder of the description further exemplifies this focus of Kimura.

In contrast, the presently claimed invention is directed to a polyester material having a particulate additive dispersed therein. The additive is one selected to be capable of catalyzing a hydride transfer reaction between an organic donor molecule and an aldehyde. Kimura does not disperse a particulate additive throughout the polymeric material. Moreover, Kimura's metal oxide is only an optional layer disposed between a polymeric film and metal substrate. In short, Applicant submits that the present claims of the application clearly distinguish over a polymeric film laminated to a metal sheet, and having a metal oxide layer disposed therebetween.


With respect to claims 20 and 21, the Examiner indicated these claims as objected to as being dependent upon a rejected base claim, but as otherwise allowable. Since these claims are already in independent form, Applicant believes they are in condition for allowance.

In view of the above, Applicant respectfully requests withdrawal of the rejection. If any fee is due in conjunction with the filing of this response, Applicant authorizes deduction of that fee from Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

July 21, 2004
Date



Scott A. McCollister
Reg. No. 33,961
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2518
(216) 861-5582

L:\GBG\DATA\2004\JE04\CMX20019.AMD.DOC